

STATE BOARD OF ELECTIONS  
Regular Meeting  
Monday, May 16, 2016

MINUTES

PRESENT:

Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan, Member  
Andrew K. Carruthers, Member  
Betty J. Coffrin, Member  
John R. Keith, Member  
William M. McGuffage, Member  
Casandra B. Watson, Member

ALSO PRESENT:

Steven S. Sandvoss, Executive Director  
James Tenuto, Assistant Executive Director  
Kenneth R. Menzel, General Counsel  
Amy L. Calvin, Administrative Assistant II

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The meeting convened at 10:35 a.m. via videoconference with all Members present. Member McGuffage was present in Chicago and Member Watson was present via teleconference.

The Chairman opened the meeting by leading everyone in the pledge of allegiance.

Member Coffrin moved to approve the minutes from the April 15 meeting as presented. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a motion for reconsideration for Agenda item 2.a.1, *SBE v. Citizens for Esther Golar*, 19423, 16DQ036 and reviewed the matter. He recommended the motion be denied because the committee did not raise anything that might be an adequate defense. Vice Chairman Gowen moved to deny the motion for reconsideration. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a motion for reconsideration for Agenda item 2.a.2, *SBE v. Friends to Elect Mary McClellan*, 23944, 16DQ059 and reviewed the matter. He said the committee did not file an appeal and recommended the motion be granted based on the electronic filing defense. Member Keith moved to grant both the motion for reconsideration and the appeal using the one time electronic filing defense. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The following appeals of campaign disclosure fines for Agenda items 3.a.3-4, *SBE v. Edwardsville Twp. Republican Committeemen*, 5787, 16DQ013 and *SBE v. Committee to Elect Judge Aleksandra Alex Gillespie*, 31654, 16AD014 were presented. The General Counsel concurred with the hearing officer recommendation to grant the appeals. He also noted as to item #4, the committee be ordered to file the amended reports with the correct dates. Member Cadigan moved to accept the recommendation of the General Counsel as to item #3. Member Keith seconded the motion which passed by roll call vote of 7-0. Member Carruthers abstained from the vote. As to item #4, Member Cadigan moved to grant the appeal and order the committee to

file the amended reports. Member Keith seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.5, *SBE v. McLean County Republican Central Committee*, 276, 16AD002 and concurred with the hearing officer recommendation to deny the appeal. Chuck Erickson was present on behalf of the committee and apologized for the error. He said it was no willful and asked the Board to waive the fine. Member McGuffage moved to deny the appeal and reduce the fine to 25% which would be a total of \$350 owed. Member Cadigan seconded the motion which passed by roll call vote of 7-1 with Member Keith voting in the negative.

The General Counsel presented Agenda item 2.a.6, *SBE v. Petroleum Political Education Committee of IL*, 308, 15MA106 and concurred with the hearing officer recommendation to deny the appeal. He also noted that the assessed penalty should be \$5,066 and that he received an ex parte communication from Member Keith regarding his conversation with Bill Fleischli, the Chairman of the committee. The General Counsel indicated the ex parte communication was properly filed. Mr. Fleischli was present on behalf of the committee and said as soon as the error was discovered the committee filed the late A-1. Staff was dealing with family health issues and the late filing was unintentional. He asked for a reduction in the fine and offered to pay a portion today. The General Counsel noted that a stay would not be appropriate in this case because the committee had previous violations. Member Cadigan moved to deny the appeal. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.12, *SBE v. Friends of Paul Mulcahy*, 24669, 15DQ093 and concurred with the hearing officer recommendation to deny the appeal. According to the Rules, reports that arrive via mail must be postmarked at least seventy-two hours before the deadline. In this instance, the report arrived two days late but was postmarked a day late of the seventy-two hour requirement. Elizabeth Felt Wakeman was present on behalf of the committee and said she was dealing with a death in the family and asked that the fine be waived. After discussion, Member McGuffage moved to deny the appeal and reduce the fine by 50%. Member Cadigan seconded the motion which passed by roll call vote of 7-1 with Member Keith voting in the negative.

The General Counsel presented the following appeals of campaign disclosure fines and concurred with the hearing officer recommendation to deny the appeals for Agenda items 2.a.7-11 & 13-15:

- 7) *SBE v. Rochester Education Assn. PAC*, 14057, 16DQ021;
- 8) *SBE v. Friends of Camille Y. Lilly*, 22767, 15AD110; (pgs.32-34)
- 9) *SBE v. Democratic Women of the South Suburbs*, 23654, 16AD009;
- 10) *SBE v. Citizens to Elect Mark V. Ferrante*, 24041, 16DQ061;
- 11) *SBE v. Diogenes of Illinois PAC*, 24416, 16DQ063;
- 13) *SBE v. Illinois Concrete PAC*, 25966, 16DQ083;
- 14) *SBE v. Friends of Robert Eastern III*, 27399, 15SQ178;
- 15) *SBE v. Citizens for Accountability*, 29571, 15AS038.

No one was present on behalf of the respondent committees. Vice Chairman moved to deny the above noted appeals. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

Next was complaints following public hearing where the hearing officer recommended the complaints be dismissed and referred to staff for assessment of civil penalties. The General Counsel concurred and noted that in addition to Agenda item 16, items 28 and 31 fall under this recommendation as well. Member Cadigan moved to accept the recommendation of the General Counsel for Agenda items 16, 28 & 31: *SBE v. Keep Burr Ridge Special*, 16CD086; *SBE v. Nonprofit VOTE IL*, 16CD065; and *SBE v. Citizens for Anthony L. McCaskill*, 16CD074. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

Complaints following public hearing where the hearing officer recommended complaints be upheld and issue a Board order requiring the delinquent report(s) be filed within 30 days of the order or face a fine up to \$5,000 for Agenda items 2.a.17-24, 26, 27, 29, 30, 32 & 33 were presented:

- 17) *SBE v. Nurses United for PAC*, 16CD001;
- 18) *SBE v. Citizens for Mike Smith*, 16CD004;
- 19) *SBE v. Citizens for Colvin*, 16CD010;
- 20) *SBE v. Citizens to Elect Alvin Parks, Jr.*, 16CD017;
- 21) *SBE v. Citizens for Tyler Smith*, 16CD021;
- 22) *SBE v. Friends of Frank McPartlin*, 16CD024;
- 23) *SBE v. Friends of David Moore*, 16CD035;
- 24) *SBE v. Friends for Strzelczyk*, 16CD036;
- 26) *SBE v. Citizens to Elect Frazier Garner*, 16CD049;
- 27) *SBE v. Friends of Amara Enyia*, 16CD053;
- 29) *SBE v. Land of Reagan*, 16CD070;
- 30) *SBE v. Citizens to Elect LaCoulton J. Walls*, 16CD073;
- 32) *SBE v. Stars Committee*, 16CD076;
- 33) *SBE v. Friends of Darren Tillis*, 16CD081.

The General Counsel concurred with the recommendation of the hearing officer and no one was present on behalf of the committees. Member Keith moved to accept the recommendation of the General Counsel in the above noted matters. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.25, *SBE v. United Party*, 16CD038 and concurred with the recommendation of the hearing officer that the complaint be upheld and issue a Board order requiring the delinquent report(s) be filed within 30 days of the order or face a fine up to \$5,000. Thaddeus Vojanowski was present on behalf of the committee and stated he intends to close the committee due to inactivity and file all of the late reports. It was agreed the timeframe to file the late reports could be extended to sixty days. Vice Chairman Gowen moved to accept the recommendation of the General Counsel and order to the committee to file the delinquent reports within sixty days. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a draft campaign disclosure settlement offer form for consideration. He noted that an updated form was distributed to the Board today and the memo from Tom Newman was on page 117 of the board packet. A few minor edits were suggested for the form and Member Keith moved to place the matter on the July agenda for final approval. Member Watson seconded the motion which passed unanimously.

Random audits of political committees and payment of civil penalties was presented for

informational purposes.

Member Cadigan moved to recess to executive session to consider complaints following closed preliminary hearing. Member Carruthers seconded the motion which passed by roll call vote of 8-0. The meeting recessed at 11:25 a.m. and reconvened at 12:45 p.m. with the same attendance as noted in the initial roll call.

As to Agenda item 2.a.37, *Cooke v. Committee for Frank J. Mautino*, 16CD093, Member Keith moved to deny the motion to dismiss, find the complaint was filed on justifiable grounds and provided that the committee file amended reports on or before July 1, 2016, providing information as to the Happy's Super Service expenditures, giving an accurate breakdown between gas and repairs and indicating whether the vehicles involved in each itemized expenditure were owned or leased by the committee or whether they were privately owned; and as to the Spring Valley City Bank expenditures, identify the actual recipient of each itemized expenditure, as well as the specific purpose for each one, and provided that those are timely filed, the matter would not proceed to public hearing at this time. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

As to Agenda item 2.a.38, *Eck v. Reick*, 16CD097, Member Keith moved to dismiss the complaint for want of prosecution. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

As to Agenda item 2.a.39, *Garrett v. Lake County GOP Voters and Ann Brennan*, 16CD104, Member Keith moved to dismiss the complaint for want of prosecution. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

As to Agenda item 2.a.40, *Trzaska v. Liberty Principles PAC*, 16CD105, Member Keith moved to find that the complaint was filed upon justifiable grounds on the coordination issue and that no further action is necessary relative to that; that the complaint was filed upon justifiable grounds as to the attribution issue and no further action is necessary relative to that, based upon the Board's already ordering that attribution be provided in the future and that the matter in this complaint occurred prior to that order; and also finding that any other matters raised by the complainant at the closed preliminary hearing or the hearing today were not raised in the complaint and are not before the Board for review. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

The Executive Director began his report with an update on the Advisory Committee Meeting that was held prior to the board meeting. He said it was well attended and the items discussed were included on page 124 of the board packet. The effect of the lack of a state budget on the election judge program was discussed. Staff travel to the training schools without being reimbursed is a financial hardship, therefore the way the training associated with the General Election could change. Suggestions included a power point presentation for the election authorities to conduct their own training, on-line training, day trips and vendor training for the jurisdictions. The Executive Director also informed the Committee of the impacts of current legislation, specifically SB 250 and an update on ERIC as well. The next meeting is scheduled for Monday, September 19, 2016.

The June Board Meeting date was discussed and Member Keith moved to change the meeting date to Monday, June 13, 2016. Member Coffrin seconded the motion which passed unanimously.

The Executive Director gave a review of the activities of the General Primary Election in DuPage County and noted that the General Counsel included his report on pages 125-127 of the board packet. Mr. Menzel attended a court ordered recount relating to the office of County Recorder on the Democratic Party ballot. The write-in candidate for county recorder originally was credited with only receiving 699 votes but after the recount it was found that the write-in votes were cast but just not tabulated and it resulted in him being over the threshold of 844 that he needed, and therefore he was declared the nominee for that particular office. There were also a couple precinct committeemen that had the similar situation, although they only needed ten write-in votes. But because of the recount, at least two of them were successfully elected. Mr. Menzel indicated that it was not a result of the voting equipment but rather human error. Discussion ensued on the possibilities to change the way the write-ins are processed including legislative changes to reduce the election day burdens on the judges. The Executive Director indicated these matters would be discussed again with the election authorities at the Advisory Committee Meeting in September.

Next was an update on the constitutional amendment petition processing and the Executive Director said the Support Independent Maps petition was filed on Friday, May 6 at 11:30 a.m. The petition consisted of 65,261 pages and included approximately 563,974 signatures. The page inventory was completed by 4:00 p.m. on the filing day and scanning began the next week. The data entry phase was completed on Thursday, May 12 and the random sampling records exam was set to begin the following day. The matter is anticipated for Board disposition at its June 13 meeting.

The Executive Director reported that Senate Bill 250, which requires automatic voter registration at select government agencies and imposes additional duties on the SBE, was up for a vote in Committee. He noted that a final version of the legislation has not been received because it was still in the amendment process. Cris Cray reported that a meeting was scheduled for Thursday with the U.S. Census Bureau, Governor and four caucuses regarding the 2020 Census. She also was informed by the House Democrats that an appropriation hearing has not been set and was unsure if one would be scheduled. Discussion ensued regarding SB250 and its impacts on the agency. It was noted that the requirements of the bill would cost the agency in excess of \$700,000 or more for IT staff to do the reprogramming and as of yet there was no additional funding.

Next on the agenda was an update on Senate Bill 172 and Kyle Thomas reported that the ERIC Board voted to grant the agency an extension for payment to June 30. He also noted that the NCOA files were processed on April 15. Kevin Turner said that one staff member was dedicated to ERIC and successfully uploaded voter files and SOS data files to ERIC. The SOS will send the next file around June 1. Mr. Turner also said they met with the SOS's IT and Driver Services staff to discuss the agency registration section of SB172. They indicated it is unlikely the July 1 deadline would be met because of another large project.

The required six month review of the executive session minutes was presented and the General Counsel reported that the necessity of confidentiality does not exist as to the release of such minutes for the period of November 16, 2015 thru March 14, 2016. Member Carruthers moved to accept the recommendation of the General Counsel and remove the need for confidentiality from the minutes noted above. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

The two year plan of staff activity for the months of May and June were presented for informational purposes.

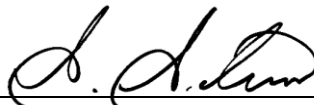
With there being no further business before the Board, Member Cadigan moved to adjourn until Monday, June 13, 2016 at 10:30 a.m. in Chicago. Member Carruthers seconded the motion which passed unanimously. The meeting adjourned at 1:35 p.m.

Respectfully submitted,



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Amy L. Calvin, Administrative Assistant II



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Steven S. Sandvoss, Executive Director

SB0250 Enrolled

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1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 1A-16.6 and 1A-16.8 as follows:

6 (10 ILCS 5/1A-16.6)

7 Sec. 1A-16.6. Government agency voter registration.

8 (a) ~~The By April 1, 2016, the~~ State Board of Elections  
9 shall establish and maintain a portal for automatic government  
10 agency registration that permits an eligible person to  
11 electronically apply to register to vote or to update his or  
12 her existing voter registration whenever he or she conducts  
13 business, either online or in person, with a designated  
14 government agency. The portal shall interface with the online  
15 voter registration system established in Section 1A-16.5 of  
16 this Code and shall be capable of receiving and processing  
17 voter registration application information, including  
18 electronic signatures, from a designated government agency.  
19 The State Board of Elections shall modify the online voter  
20 registration system as necessary to implement this Section.  
21 Voter registration data received from a designated  
22 government agency through the online registration application  
23 system shall be processed as provided for in Section 1A-16.5 of

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1 this Code.

2 Whenever the registration interface is accessible to the  
3 general public, including, but not limited to, online  
4 transactions, the interface shall allow the applicant to  
5 complete the process as provided for in Section 1A-16.5 of this  
6 Code. The online interface shall be capable of providing the  
7 applicant with the applicant's voter registration status with

8 the State Board of Elections and, if registered, the  
9 applicant's current registration address. The applicant shall  
10 not be required to re-enter any registration data, such as  
11 name, address, and birth date, if the designated government  
12 agency already has that information on file. ~~The applicant~~  
13 ~~shall be informed that by choosing to register to vote or to~~  
14 ~~update his or her existing voter registration, the applicant~~  
15 ~~consents to the transfer of the applicant's personal~~  
16 ~~information to the State Board of Elections.~~

17 (a-5) Whenever an employee of a designated government  
18 agency serves a member of the public a government employee is  
19 accessing the registration system while servicing the  
20 applicant, the agency shall inform the individual in writing of  
21 the qualifications to register to vote in Illinois and of the  
22 penalties provided by law for submission of a false voter  
23 registration application and shall provide an opportunity to  
24 attest to meeting those qualifications under penalty of  
25 perjury. The agency shall notify the individual that his or her  
26 personal information shall be transferred to the State Board of

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1 Elections for the purpose of creating an electronic voter  
2 registration application, and that the individual will only be  
3 registered to vote if he or she meets the qualifications to  
4 register to vote in Illinois. The agency shall not require the  
5 individual to provide duplicate information, including, but  
6 not limited to, any information he or she has already provided  
7 as part of the underlying service transaction, except for a  
8 signature. The agency shall inform the individual in writing  
9 that declining to transfer his or her personal information for  
10 voter registration purposes is confidential and will not affect  
11 any services the individual may be seeking from the agency. The  
12 agency shall inform the individual that the identity of the  
13 designated government agency transferring voter registration  
14 information is confidential. The individual shall not be  
15 required to disclose the reason for declining, including his or  
16 her citizenship status. The agency shall collect all needed  
17 information for voter registration. After each transaction,  
18 the agency shall electronically transfer to the State Board of  
19 Elections personal information relevant to voter registration,



20 including all records of documents relating to identity,  
21 address, and citizenship. The Secretary of State's Driver  
22 Services Department shall send this information to the State  
23 Board of Elections for every applicant, regardless of whether  
24 or not the individual attested to his or her eligibility to  
25 register to vote. All other designated government agencies  
26 shall send this information to the State Board of Elections

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1 only if the individual attested that he or she is eligible to  
2 register to vote. The State Board of Elections shall  
3 electronically transfer to the appropriate election authority  
4 all voter registration information required for each voter  
5 registration application it creates ~~government employee shall~~  
6 ~~notify the applicant of the applicant's registration status~~  
7 ~~with the State Board of Elections and, if registered, the~~  
8 ~~applicant's current registration address. If the applicant~~  
9 ~~elects to register to vote or to update his or her existing~~  
10 ~~voter registration, the government employee shall collect the~~  
11 ~~needed information and assist the applicant with his or her~~  
12 ~~registration. The applicant shall be informed that by choosing~~  
13 ~~to register to vote or to update his or her existing voter~~  
14 ~~registration, the applicant consents to the transfer of the~~  
15 ~~applicant's personal information to the State Board of~~  
16 ~~Elections.~~

17 (a-10) Upon receipt of personal information collected and  
18 transferred by a designated government agency, the State Board  
19 of Elections shall check the information against the statewide  
20 voter registration database. The State Board of Elections shall  
21 create and electronically transmit to the appropriate election  
22 authority a voter registration application for any individual  
23 who is not registered to vote in Illinois and is not  
24 disqualified as provided in subsection (a-15) of this Section  
25 or whose information reliably indicates a more recent update to  
26 the name or address of a person already included in the

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1 statewide voter database, regardless of whether the individual  
2 attested to his or her eligibility to register to vote during  
3 the agency transaction. The election authority shall process  
4 the application accordingly.

5 (a-15) If the State Board of Elections determines that  
6 personal information collected and transferred by the  
7 designated government agency of an individual who attested to  
8 his or her eligibility to register to vote includes a green  
9 card or other legal proof that the person is not a United  
10 States citizen, then the State Board of Elections shall not  
11 create a voter registration application and shall notify the  
12 person of the reason his or her voter registration application  
13 is incomplete.

14 (a-20) Unless the application is incomplete pursuant to  
15 subsection (a-15), the State Board of Elections shall create  
16 and electronically transmit to the appropriate election  
17 authority a voter registration application for any individual  
18 who has attested to meeting voter eligibility requirements. If  
19 the personal information collected and transferred by the  
20 designated government agency does not make it clear whether or  
21 not a person is qualified to register to vote in Illinois, then  
22 the person's attestation that he or she is so qualified shall  
23 be deemed sufficient evidence of meeting qualifications to  
24 register to vote and the election authority shall process the  
25 application accordingly.

26 (a-25) The appropriate election authority shall ensure

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1 that any applicant who is registered to vote or whose existing  
2 voter registration is updated under this Section is promptly  
3 sent written notice of the change. The notice may be sent by  
4 electronic mail if the applicant has provided an electronic  
5 mail address on the voter registration form. The notice  
6 required by this subsection (a-25) may be sent or combined with  
7 other notices required or permitted by law, including, but not  
8 limited to, any notices sent pursuant to Section 1A-16.5 of  
9 this Code. Any notice required by this subsection (a-25) shall  
10 contain, at a minimum:

11 (1) the applicant's name, date of birth, and  
12 residential address as reflected on the voter registration

13 list;  
14 (2) a statement that the applicant will be registered  
15 to vote or will have his or her voter registration updated  
16 unless he or she declines registration;  
17 (3) a statement of the qualifications to be a voter;  
18 (4) a statement that it is illegal for a person who is  
19 not qualified to be a voter to vote in an election, which  
20 shall be printed in larger text than the rest of the  
21 notice;  
22 (5) a statement (i) notifying the applicant to opt out  
23 if he or she does not meet the qualifications to be a voter  
24 by returning a prepaid postcard, opting out online, or  
25 otherwise contacting the appropriate election authority  
26 and (ii) stating that the applicant does not have to

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1 provide a reason he or she is declining voter registration  
2 or disclose citizenship status.  
3 (6) a statement notifying the applicant to contact the  
4 appropriate election authority if his or her voter  
5 registration has been updated in error;  
6 (7) a statement notifying the applicant that he or she  
7 may opt out of voter registration, or request a change to  
8 registration information, at any time by contacting an  
9 election official;  
10 (8) a prepaid postcard allowing the applicant to opt  
11 out of voter registration or update his or her voter  
12 registration information, or directions for opting out of  
13 voter registration or updating voter registration  
14 information online;  
15 (9) contact information for the appropriate election  
16 authority, including a phone number, address, electronic  
17 mail address, and website address;  
18 (10) a statement notifying the applicant that some  
19 personal information related to voter registration may be  
20 subject to public disclosure for purposes related to the  
21 electoral process unless protected under an address  
22 confidentiality program; and  
23 (11) any other information necessary to fulfill the  
24 obligations of this Section or local, State, or federal

25 law.

26 (a-30) The appropriate election authority shall ensure

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1 that any applicant whose voter registration application is not  
2 accepted or deemed incomplete is promptly sent written notice  
3 of the application's status. The notice may be sent by  
4 electronic mail if the applicant has provided an electronic  
5 mail address on the voter registration form. The notice  
6 required by this subsection (a-30) may be sent or combined with  
7 other notices required or permitted by law, including, but not  
8 limited to, any notices sent pursuant to Section 1A-16.5 of  
9 this Code. Any notice required by this subsection (a-30) shall  
10 contain, at a minimum, the reason the application was not  
11 accepted or deemed incomplete and contact information for the  
12 appropriate election authority including a phone number,  
13 address, electronic mail address, and website address.

14 (a-35) If a designated government agency transfers  
15 information, or if the State Board of Elections creates and  
16 transmits a voter registration application, for a person who  
17 does not qualify as an eligible voter, then it shall not  
18 constitute a completed voter registration form, and the person  
19 shall not be considered to have registered to vote. If the  
20 registration is processed by any election authority, then it  
21 shall be presumed to have been effected and officially  
22 authorized by the State and that person shall not be found on  
23 that basis to have made a false claim to citizenship or to have  
24 committed an act of moral turpitude, nor shall that person be  
25 subject to penalty under any relevant laws, including, but not  
26 limited to, Sections 29-10 and 29-19 of this Code. This

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1 subsection (a-35) does not apply to any person who knows that  
2 he or she is ineligible to register to vote but who knowingly  
3 and willfully registers to vote or attests under penalty of  
4 perjury that he or she is eligible to register to vote.

5 (a-40) No employee of a designated government agency shall

6 transmit to the State Board of Elections personal information  
7 for any person who applies for or is issued a temporary  
8 visitor's driver's license pursuant to Section 6-105.1 of the  
9 Illinois Vehicle Code.

10 (a-45) In the event that the registration of a voter is  
11 changed from one address to another within the State and the  
12 voter appears at the polls and offers to vote from the prior  
13 registration address, attesting that the prior registration  
14 address is the true current address, the voter, if confirmed by  
15 the election authority as having been registered at the prior  
16 registration address and canceled only by the process  
17 authorized by this Section, shall be issued a regular ballot,  
18 and the change of registration address shall be canceled. If  
19 the election authority is unable to immediately confirm the  
20 registration, then the voter shall be permitted to register and  
21 vote a regular ballot, provided that he or she meets the  
22 documentary requirements for same-day registration. If the  
23 election authority is unable to confirm the registration and  
24 the voter does not meet the requirements for same-day  
25 registration, then the voter shall be issued a provisional  
26 ballot and the provisional ballot shall be counted as provided

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1 for under Article 18A of this Code. No voter shall be  
2 disqualified from voting due to an error relating to an update  
3 of registration made under this Section.

4 (a-50) In accordance with technical specifications  
5 provided by the State Board of Elections, each designated  
6 government agency shall maintain a data transfer mechanism  
7 capable of transmitting voter registration application  
8 information, including electronic signatures where available,  
9 to the online voter registration system established in Section  
10 1A-16.5 of this Code. Each designated government agency shall  
11 establish and operate a voter registration system capable of  
12 transmitting voter registration application information to the  
13 portal as described in this Section by July 1, 2016.

14 (b) Whenever an applicant's data is transferred from a  
15 designated government agency, the agency must transmit a  
16 signature image if available. If no signature image was  
17 provided by the agency or if no signature image is available in

18 the Secretary of State's database or the statewide voter  
19 registration database, the applicant must be notified that his  
20 or her ~~their~~ registration will remain in a pending status and  
21 the applicant will be required to provide identification that  
22 complies with the federal Help America Vote Act of 2002 and a  
23 signature to the election authority on Election Day in the  
24 polling place or during early voting.

25 (b-5) The State Board of Elections and designated  
26 government agencies shall implement policies and procedures to

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1 protect the privacy and security of voter information as it is  
2 acquired, stored, and transmitted among agencies, including  
3 policies for the retention and preservation of voter  
4 information. Information designated as confidential under this  
5 Section may be recorded and shared among the State Board of  
6 Elections, election authorities, and designated government  
7 agencies, but shall be used only for voter registration  
8 purposes, shall not be disclosed to the public except in the  
9 aggregate as required by subsection (d) of this Section, and  
10 shall not be subject to the Freedom of Information Act. The  
11 following information shall be designated as confidential: any  
12 portion of an applicant's Social Security number, any portion  
13 of an applicant's motor vehicle driver's license number or  
14 State identification number, an applicant's decision to  
15 decline voter registration, the identity of the designated  
16 government agency providing information relating to a specific  
17 applicant, and the personal residence and contact information  
18 of any applicant for whom local, State, or federal law requires  
19 confidentiality, including, but not limited to, a victim of  
20 domestic violence pursuant to the Address Confidentiality for  
21 Victims of Domestic Violence Act or a victim of stalking  
22 pursuant to the Stalking No Contact Order Act. This subsection  
23 (b-5) shall not apply to information the State Board of  
24 Elections is required to share with the Electronic Registration  
25 Information Center.

26 (c) The voter registration procedures implemented under

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1 this Section shall comport with the federal National Voter  
2 Registration Act of 1993, as amended, and shall specifically  
3 require that the ~~The State Board of Elections shall track~~  
4 registration data received through the online registration  
5 system that originated from a designated government agency for  
6 the purposes of maintaining statistics ~~required by the federal~~  
7 ~~National Voter Registration Act of 1993, as amended.~~

8 (d) The State Board of Elections shall submit an annual  
9 public a report to the General Assembly and the Governor ~~by~~  
10 ~~December 1, 2015~~ detailing the progress made to implement the  
11 ~~government agency voter registration portal described in this~~  
12 Section. The report shall include all of the following: the  
13 number of records transferred under this Section by agency, the  
14 number of voters newly added to the statewide voter  
15 registration list because of records transferred under this  
16 Section by agency, the number of updated registrations under  
17 this Section by agency, the number of persons who opted out of  
18 voter registration, and the number of voters who submitted  
19 voter registration forms using the online procedure described  
20 in Section 1A-16.5 of this Code. Any report produced under this  
21 subsection (d) shall exclude any information that identifies  
22 any individual personally.

23 (d-5) The State Board of Elections, each election authority  
24 that maintains a website, and each designated government agency  
25 that maintains a website shall provide information on their  
26 websites informing the public about the new registration

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1 procedures described in this Section. Each designated  
2 government agency shall display signage or provide literature  
3 for the public containing information about the new  
4 registration procedures described in this Section.

5 (d-10) No later than January 1, 2017, the State Board of  
6 Elections shall hold at least one public hearing on  
7 implementing this amendatory Act of the 99th General Assembly  
8 at which the public may provide input.

9 (e) The State Board of Elections, in consultation with

10 election authorities, the Secretary of State, designated  
11 government agencies, and community organizations, shall adopt  
12 rules as necessary to implement the provisions of this Section  
13 , in consultation with the impacted agencies.

14 (e-5) Subsections (a-5) through (a-45) and subsection  
15 (b-5) of this Section shall be implemented no later than  
16 January 1, 2018.

17 (f) As used in this Section, a "designated government  
18 agency" means the Secretary of State's Driver Services and  
19 Vehicle Services Departments, the Department of Human  
20 Services, the Department of Healthcare and Family Services, the  
21 Department of Employment Security, ~~and~~ the Department on Aging,  
22 any federal source that agrees to submit personal  
23 identification information to the State for voter registration  
24 purposes, and any other reliable State government source the  
25 State Board of Elections may designate.

26 (Source: P.A. 98-1171, eff. 6-1-15.)

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1 (10 ILCS 5/1A-16.8)  
2 Sec. 1A-16.8. Automatic transfer of registration based  
3 upon information from the National Change of Address database  
4 and designated government agencies, as defined in Section  
5 1A-16.6 of this Code. The State Board of Elections shall  
6 cross-reference the statewide voter registration database  
7 against the United States Postal Service's National Change of  
8 Address database twice each calendar year, April 15 and October  
9 1 in odd-numbered years and April 15 and December 1 in  
10 even-numbered years, and shall share the findings with the  
11 election authorities. In addition, beginning no later than  
12 September 1, 2016, the State Board of Elections shall utilize  
13 data provided as part of its membership in the Electronic  
14 Registration Information Center in order to cross-reference  
15 the statewide voter registration database against databases of  
16 relevant personal information kept by designated government  
17 agencies, including, but not limited to, driver's license  
18 information kept by the Secretary of State, at least 6 times  
19 each calendar year and shall share the findings with election  
20 authorities. An election authority shall automatically



21 register any voter who has moved into its jurisdiction from  
22 another jurisdiction in Illinois or has moved within its  
23 jurisdiction provided that:

24 (1) the election authority whose jurisdiction includes  
25 the new registration address provides the voter an

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1 opportunity to reject the change in registration address  
2 through a mailing, sent by non-forwardable mail, to the new  
3 registration address, and

4 (2) when the election authority whose jurisdiction  
5 includes the previous registration address is a different  
6 election authority, then that election authority provides  
7 the same opportunity through a mailing, sent by forwardable  
8 mail, to the previous registration address.

9 This change in registration shall trigger the same  
10 inter-jurisdictional or intra-jurisdictional workflows as if  
11 the voter completed a new registration card, including the  
12 cancellation of the voter's previous registration. Should the  
13 registration of a voter be changed from one address to another  
14 within the State and should the voter appear at the polls and  
15 offer to vote from the prior registration address, attesting  
16 that the prior registration address is the true current  
17 address, the voter, if confirmed by the election authority as  
18 having been registered at the prior registration address and  
19 canceled only by the process authorized by this Section, shall  
20 be issued a regular ballot, and the change of registration  
21 address shall be canceled. If the election authority is unable  
22 to immediately confirm the registration, the voter shall be  
23 permitted to register and vote a regular ballot, provided that  
24 he or she meets the documentary requirements for same-day  
25 registration. If the election authority is unable to confirm  
26 the registration and the voter does not meet the requirements

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1 for same-day registration, the voter shall be issued a  
2 provisional ballot and the provisional ballot shall be counted

3 as provided under Article 18A of this Code. No voter shall be  
4 disqualified from voting due to an error relating to an update  
5 of registration under this Section.

6 (Source: P.A. 98-1171, eff. 6-1-15.)

7 Section 10. The Illinois Vehicle Code is amended by  
8 changing Section 2-105 as follows:

9 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

10 Sec. 2-105. Offices of Secretary of State.

11 (a) The Secretary of State shall maintain offices in the  
12 State capital and in such other places in the State as he may  
13 deem necessary to properly carry out the powers and duties  
14 vested in him.

15 (b) The Secretary of State may construct and equip one or  
16 more buildings in the State of Illinois outside of the County  
17 of Sangamon as he deems necessary to properly carry out the  
18 powers and duties vested in him. The Secretary of State may, on  
19 behalf of the State of Illinois, acquire public or private  
20 property needed therefor by lease, purchase or eminent domain.  
21 The care, custody and control of such sites and buildings  
22 constructed thereon shall be vested in the Secretary of State.  
23 Expenditures for the construction and equipping of any of such  
24 buildings upon premises owned by another public entity shall

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1 not be subject to the provisions of any State law requiring  
2 that the State be vested with absolute fee title to the  
3 premises. The exercise of the authority vested in the Secretary  
4 of State by this Section is subject to the appropriation of the  
5 necessary funds.

6 (c) Pursuant to Sections 1A-16.6 and Section 1A-25 of the  
7 Election Code, the Secretary of State shall make driver  
8 services facilities available for use as places of accepting  
9 applications for voter registration.

10 (d) (Blank).

11 (e) Each person applying at a driver services facility for  
12 a driver's license or permit, a corrected driver's license or  
13 permit, an Illinois identification card or a corrected Illinois  
14 identification card shall be notified, under the procedures set

15 forth in Section 1A-16.6 of the Election Code, that his or her  
16 personal information shall be transferred to the State Board of  
17 Elections for the purpose of creating an electronic voter  
18 registration application, and that the individual will only be  
19 registered to vote if he or she meets the qualifications to  
20 register to vote in Illinois. ~~that the person may apply to~~  
21 ~~register to vote at such station and may also apply to transfer~~  
22 ~~his or her voter registration at such station to a different~~  
23 ~~address in the State.~~ Such notification may be made in writing  
24 or verbally issued by an employee or the Secretary of State.

25 The Secretary of State shall promulgate such rules as may  
26 be necessary for the efficient execution of his duties and the

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1 duties of his employees under this Section.

2 (f) Any person applying at a driver services facility for  
3 issuance or renewal of a driver's license or Illinois  
4 Identification Card shall be provided, without charge, with a  
5 brochure warning the person of the dangers of financial  
6 identity theft. The Department of Financial and Professional  
7 Regulation shall prepare these brochures and provide them to  
8 the Secretary of State for distribution. The brochures shall  
9 (i) identify signs warning the reader that he or she might be  
10 an intended victim of the crime of financial identity theft,  
11 (ii) instruct the reader in how to proceed if the reader  
12 believes that he or she is the victim of the crime of identity  
13 theft, and (iii) provide the reader with names and telephone  
14 numbers of law enforcement and other governmental agencies that  
15 provide assistance to victims of financial identity theft.  
16 (Source: P.A. 97-81, eff. 7-5-11.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.